1 JUVENILE COURT

Minnesota Rules of Juvenile Delinquency Procedure

Rules effective May 1, 1983 With amendments effective through September 1, 2018

TABLE OF HEADNOTES

Delinquency, Juvenile Petty Offenses and Juvenile Traffic Offenses

Rule 1. Scope, Application and General Purpose

- 1.01 Scope and Application
- 1.02 General Purpose

Rule 2. Attendance at Hearings and Privacy

- 2.01 Right to Attend Hearing
- 2.02 Exclusion of Persons Who Have a Right to Attend Hearings
- 2.03 Presence Required
- 2.04 Right to Participate
- 2.05 Ex Parte Communications

Rule 3. Right to Counsel

- 3.01 Generally
- 3.02 Appointment of Counsel
- 3.03 Dual Representation
- 3.04 Waiver of Right to Counsel
- 3.05 Renewal of Advisory
- 3.06 Eligibility for Court Appointed Counsel at Public Expense
- 3.07 Right of Parent(s), Legal Guardian(s), Legal Custodian(s) and Guardian Ad Litem to Counsel
- 3.08 Certificates of Representation

Rule 4. Warrants

- 4.01 Search Warrants Upon Oral Testimony
- 4.02 Search Warrants Upon Written Application
- 4.03 Warrants for Immediate Custody

Rule 5. Detention

- 5.01 Scope and General Principles
- 5.02 Definitions
- 5.03 Detention Decision

JUVENILE COURT 2

- 5.04 Release or Continued Detention
- 5.05 Detention Reports
- 5.06 Identification Procedures
- 5.07 Detention Hearing
- 5.08 Detention Review

Rule 6. Charging Document

- 6.01 Generally
- 6.02 Citation
- 6.03 Petition
- 6.04 Amendment
- 6.05 Probable Cause
- 6.06 Procedure on Filing a Charging Document with the Court
- 6.07 Dismissal by Prosecuting Attorney
- 6.08 Dismissal by Court

Rule 7. Arraignment

- 7.01 Application
- 7.02 Generally
- 7.03 Timing
- 7.04 Hearing Procedure

Rule 8. Pleas

- 8.01 Application
- 8.02 Generally
- 8.03 Plea of Not Guilty Without Appearance
- 8.04 Plea of Guilty

Rule 9. Settlement Discussions and Plea Agreements

- 9.01 Generally
- 9.02 Relationship Between the Child and the Child's Counsel
- 9.03 Disclosure of Settlement Agreement
- 9.04 Settlement Discussions and Agreements Not Admissible

Rule 10. Discovery

- 10.01 Scope and Application
- 10.02 Evidence and Identification Disclosure

MINNESOTA COURT RULES 3 JUVENILE COURT 10.03 Notice of Additional Offenses 10.04 Disclosure by Prosecuting Attorney 10.05 Disclosure by Child 10.06 Regulation of Discovery 10.07 Taking Depositions **Rule 11. Pretrial Conference** 11.01 Timing 11.02 Evidentiary and Other Issues Rule 12. Omnibus Hearing 12.01 Scheduling of Omnibus Hearing 12.02 Scheduling of Trial Rule 13. Trials 13.01 Purpose and Application 13.02 Commencement of Trial 13.03 Trial 13.04 Evidence 13.05 Use of Depositions at Trial 13.06 Standard of Proof 13.07 Joint Trials 13.08 Joinder and Severance of Offenses 13.09 Findings 13.10 Further Proceedings Rule 14. Continuance for Dismissal 14.01 Agreements Permitted 14.02 Court Approval; Filing of Agreement; Release 14.03 Modification of Agreement 14.04 Termination of Agreement; Resumption of Proceedings 14.05 Emergency Order 14.06 Release Status Upon Resumption of Delinquency, Juvenile Petty or Juvenile Traffic **Proceedings** 14.07 Termination of Agreement; Dismissal

14.08 Termination and Dismissal Upon Showing of Rehabilitation

J

JUVENILE	COURT 4
14.09	Modification or Termination and Dismissal Upon Child's Motion
14.10	Court Authority to Dismiss
Rule 15. I	Delinquency Disposition
15.01	Generally
15.02	Timing
15.03	Predisposition Reports
15.04	Hearing
15.05	Dispositional Order
15.06	Informal Review
15.07	Probation Violation
15.08	Other Modifications
Rule 16. I	Post-Trial Motions
16.01	Post-Trial Motions
16.02	Motion to Vacate the Finding that the Allegations of the Charging Document are Proved
16.03	Joinder of Motions
16.04	New Trial on Court's Own Motion
16.05	Orders
Rule 17. J	Juvenile Petty Offender and Juvenile Traffic Offender
17.01	Scope, Application and General Purpose
17.02	Right to Counsel
17.03	Warrants
17.04	The Charging Document and Notice of Arraignment
17.05	Arraignment
17.06	Pleas
17.07	Discovery
17.08	Pretrial and Omnibus Hearing
17.09	Adjudication and Disposition
17.10	Transfer to Adult Court of Juvenile Traffic Matter
17.11	Child Incompetent to Proceed

Rule 18. Certification of Delinquency Matters

- 18.01 Application
- 18.02 Initiation of Certification Proceedings of Delinquency Matters

5 JUVENILE COURT 18.03 Notice of Certification 18.04 Certification Study 18.05 Hearing 18.06 Certification Determination 18.07 Order 18.08 Termination of Jurisdiction Upon Certification 18.09 Withdrawal of Waiver of Certification Hearing Rule 19. Extended Jurisdiction Juvenile Proceedings and Prosecution 19.01 Initiation of Extended Jurisdiction Juvenile Proceedings and Prosecution 19.02 Notice of the Extended Jurisdiction Juvenile Proceeding 19.03 Extended Jurisdiction Juvenile Study 19.04 Hearings on Extended Jurisdiction Juvenile Proceedings 19.05 Public Safety Determination 19.06 Extended Jurisdiction Juvenile Prosecution Determination 19.07 Order 19.08 Withdrawal of Waiver of Extended Jurisdiction Juvenile Hearing 19.09 Extended Jurisdiction Juvenile Prosecution and Procedure for Seeking an Aggravated Adult Criminal Sentence 19.10 Disposition 19.11 Revocation Rule 20. Child Incompetent to Proceed and Defense of Mental Illness or Cognitive Impairment 20.01 Proceeding When Child is Believed to be Incompetent 20.02 Defense of Mental Illness or Cognitive Impairment at the Time of the Offense 20.03 Simultaneous Examinations Rule 21. Appeals 21.01 Generally 21.02 Proceedings in Forma Pauperis 21.03 Appeal by Child 21.04 Appeal by Prosecuting Attorney 21.05 Appeal by Parent(s), Legal Guardian or Legal Custodian of the Child 21.06 Certified Questions to the Court of Appeals 21.07 Time for Issuance of Decision

JUVENILE COURT 6

Rule	22.	Sub	stitutio	n of .	fudge
Nuit	44.	Sub	รแเนเเบ	II OI J	uuz

- 22.01 Before or During Trial
- 22.02 After Verdict or Finding of Guilt
- 22.03 Notice to Remove
- 22.04 Assignment of New Judge

Rule 23. Referee

- 23.01 Authorization to Hear Cases
- 23.02 Objection to Assignment of Referee
- 23.03 Notice to Remove a Particular Referee
- 23.04 Transmittal of Findings
- 23.05 Review
- 23.06 Order of the Court

Rule 24. Guardian Ad Litem

- 24.01 Appointment
- 24.02 General Responsibilities of Guardians Ad Litem
- 24.03 Guardian Ad Litem Not Counsel for Child

Rule 25. Notice

- 25.01 Summons, Notice in Lieu of Summons, Oral Notice on the Record, Service by Electronic Transmission and Notice by Telephone
- 25.02 Content
- 25.03 Procedure for Notification
- 25.04 Waiver

Rule 26. Subpoenas

- 26.01 Motion or Request for Subpoenas
- 26.02 Expense

Rule 27. Motions

- 27.01 Motions to be Signed
- 27.02 Service of Motions

Rule 28. Notice of Orders or Judgments

Rule 29. Recording

- 29.01 Procedure
- 29.02 Availability of Transcripts

7 JUVENILE COURT

29.03 Expense

Rule 30. Records

- 30.01 Generally
- 30.02 Availability of Juvenile Court Records

Rule 31. Timing

- 31.01 Computation
- 31.02 Additional Time After Service by Mail

Rule 32. Electronic Service, Filing, and Signature

- 32.01 Service
- 32.02 Filing
- 32.03 Signature

Juvenile Delinquency Forms

Introductory Statement

- 1. [Deleted]
- 2. Notice of the Rights of Victims in Juvenile Court
- 3. Notice in Lieu of Summons
- 4. Summons
- 5. Prosecutor's Request for Disclosure
- 6. Prosecutor's Notice of Evidence and Identification Procedures
- 7. Petition to Proceed Pro Se in Juvenile Delinquency Proceeding
- 8. Statement of Rights: Juvenile Delinquency Proceedings
- 9. Statement of Rights: Juvenile Petty Offender Proceedings
- 10. Statement of Rights: Juvenile Traffic Offender Proceedings
- 11. Statement of Rights: Juvenile Probation Revocation
- 12. Waiver of Right to Contested Hearing in an Extended Jurisdiction Juvenile Case
- 13. Waiver of Right to Contested Hearing in a Non-Presumptive Certification Case
- 14. Waiver of Right to Contested Hearing in a Presumptive Certification Case
- 15. Petition to Enter Plea of Guilty in an Extended Jurisdiction Juvenile Case
- 16. Petition to Enter Plea of Guilty in a Juvenile Delinquency Matter
- 17. EJJ Adult Stayed Sentence

INDEX

TEXT OF RULES